

# **EXHIBIT 62**

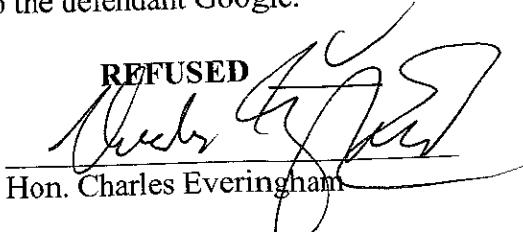
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

FUNCTION MEDIA, L.L.C., §  
§  
Plaintiff, § Civil Action No. 2007-CV-279  
§  
§  
vs. §  
§  
GOOGLE, INC. AND YAHOO, INC., §  
§  
Defendants. § JURY TRIAL DEMANDED

In this case, Google has destroyed instant messages that are relevant to this case. You may infer from Google's destruction of these documents that the communications are favorable to the plaintiff Function Media and not favorable to the defendant Google.

GIVEN \_\_\_\_\_

REFUSED

  
Hon. Charles Everingham